



HAMILTON COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

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MINUTES

LEPC “Special” Meeting Minutes, October 12, 2005

A “Special” meeting of the Hamilton County Local Emergency Planning Committee (LEPC) was held October 12, 2005 at Wally’s Restaurant, 6521 Ringgold Rd, in East Ridge, Tennessee. The following constitutes the minutes of that meeting.

Those in attendance were:

Dane Creel, Wrigley Co., **Chairman**
Bruce Garner, Chatt. FD, 1st Vice Chairman
Mike James, Marion Environ. V/Chairman
Wayne Stuntz, Secretary/Treasurer
Richard Twitchell, V/Chairman
Dusty Rominger, W.R. Grace
J. Jeremy Swilley, City Stormwater Mgmt
Larry Martin, McKee Foods
Caroline Williams, LWV
Jean Craft (Visitor)
Tim Arnold, TN State Guard/USCG Aux

Jack Gray, Hyperlast NA/Synair Corp
Connie Morin, SEI, Inc.
Rick Johnston, SEI, Inc.
David Foutz, Norfolk Southern RR
John Piotter, Self
Garish Patel, ALCO Chemical
Brian Lopez-Cepero
Dawn Ford, Vice Chairman
Jamie Farrow, Pilgrims Pride
Cecilia Piotter, The Guardian Group

Special Meeting Justification: This special meeting was called to elect a Chairperson and seven Vice Chair positions. Normally election of officers would have been done during the regularly scheduled September 14, 2005 meeting. An election dilemma existed during the September meeting in that the current LEPC by-laws allows the current Chairperson (if eligible) to continue for another year or elect a new chairperson from one of the existing vice chair positions—the dilemma being that neither the current chairperson nor existing vice-chairs were willing to except the chairperson role.

It was further decided at the September 14, 2005 meeting that a special Executive Committee meeting would be necessary to discuss and bring forth solutions to the existing problem and change the existing LEPC by-laws to avoid future election dilemmas.

Therefore, a special executive committee meeting was held on October 5, 2005 to decide the course of action necessary to allow elections to proceed during the “special” meeting in October and to make changes to current LEPC by-laws to avoid future election dilemmas. These by-law changes would then be voted on during the special meeting. At the executive committee meeting it was decided that the current Chairman would continue in that role and if, and, when necessary

during his needed absence, a Vice Chair person would assume his role—thus enabling elections to occur during the October 12th special meeting.

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Old Business: Although called as a “special” meeting, some old business was discussed as follows:

- Dawn Ford was asked to talk briefly about the LEPC News Letter. Dawn passed around a template of what has been done so far. Dawn said that she is still accepting 200 word articles from anyone and hoped to publish the first edition by the end of November. The newsletter will be called “The LEPC Press”.
- Mike James spoke briefly about the LEPC Fall exercise and said that soon he should have a definite answer as to whether “Hawker Power Source” would host the exercise—saying that one more person at the corporate level still had to give his/her blessing. Mike said that their only reservations/concerns were the exposure to press coverage.
 - A brief discussion ensued regarding the pros and cons of media coverage with end results (comments) generally in favor of media presence. Bruce Garner said that it looked good that Hawker Power would host the Fall exercise in November.
- Chairman Creel informed the committee that TEMA has provided the necessary application information to apply for next years conference grant—saying that David Darnell has put together a proposal to apply for the grant and that it was forwarded to Chief Tittle who will submit it to TEMA. Dane said that there are two grants this year; one—a \$10,000 conference grant which requires a 20% match, and the other was a \$7,000 grant for exercises—for which this LEPC did not apply for.
- Chairman Creel thanked, by name, Jack Gray, John Piotter, Dawn Ford, Dick Twitchell, Jeremy Swilley, Dusty Rominger, Susan Holmes, Mike James, Caleb Womack and Marion Environmental for their participation at the LEPC booth at the County Fair this year. Dane said that he believed the booth was again another successful public outreach.

Special Meeting Business:

- Chairman Creel began by stating that one of the reasons for this special meeting was to talk about the by-laws—whether it is due to election-gate (an attempt at humor) or a constitutional crisis and that he will continue in the role as Chairman because no one else wanted to. Dane said that he could not, in all good conscience, leave the LEPC in the situation of not having a chairperson to vote in. Dane said that there was a suggestion to have “co-chair’s” to solve the problem, however, some thought that might confuse the direction of the LEPC. Therefore, Dane said that he decided to continue on as Chairman with the understanding that Vice Chairs would fill in and help out when needed.
- Dane said that the Executive Committee has proposed a few changes in our by-laws to alleviate this situation—hopefully from happening again. Dane reminded the committee of the last time the by-laws were changed in an attempt to alleviate this situation—that of adding two additional Vice Chair positions, which, in the long run will most likely help alleviate this situation.
- Chairman Creel asked the committee if everyone had received a copy of the by-laws, as amended—those who did not were provided a copy.

- At this point, Dane spoke about the proposed changes to the By-Laws—giving first reference to page 2, **Article III., Section 1.** under “**OFFICERS**” . A sentence was added which reads: “***All officers shall have been a member of the LEPC for a minimum of one year.***”

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- The next change was made to page 3, **Article IV, Section 1,** under “**ELECTION OF OFFICERS**”. The sentence, “The LEPC *shall* elect its Chairperson from among the incumbent Executive Committee members.” was changed to read: “***The LEPC should elect its Chairperson from among the incumbent Executive Committee members.***” Under this same Article, Section 1, the following sentence was added: “***However, a Chairperson may be elected from the membership at-large provided the candidate has been a member for one year.***”
- After a brief commentary regarding the changes, Dane asked the committee if there were any questions or comments on the suggested changes. At this point, Secretary Wayne Stuntz indicated that a quorum had been met for attendance, therefore allowing items brought before the committee to be eligible for vote.
- Brian Lopez-Cepero offered a typo correction to page 5, Article VII, Section 2. Last sentence, which reads in part “.....to be not less than forth-eight (48) hours prior to such special meeting.” Change “forth-eight” to read “forty-eight”.
- Mr. Dick Twitchell made the motion to accept the proposed By-Law changes as written. Motion was seconded by Mr. Bruce Garner and approved by the Committee at large.
- Chairman Creel turned the meeting over to Wayne Stuntz, Chairman ProTem to conduct the election of officers.
 - Wayne thanked Mr. Dusty Rominger for polling all parties concerned and preparing the ballots for the election.
 - Wayne explained that ballots would be distributed to one voting member per membership company/individual—ballots were distributed among voting members. Members were told to select either Mr. Dane Creel as Chairperson or they had the option of a “write-in” vote from the incumbent Executive Committee.
 - In consideration of time, it was decided that members, using the same ballot, could vote for the Chairman position as well as for the seven Vice Chair positions—seven Vice Chair names were pre-recorded on the ballot and voting members had the option also for “write-in” votes as long as they selected seven vice chairs.
 - Ballots were collected and counted with the following results: Although there were write-in votes for the Chairman position, the majority votes went to Mr. Dane Creel. There were also five write-in votes for the Vice Chair positions, however, the seven pre-printed names on the ballot received majority votes. They were: Jack Gray, Dawn Ford, Bruce Garner, Mike James, Bill Tittle, Dusty Rominger, and Caleb Womack. Voting ballots cast during this meeting are part of the record for the Oct 12, 2005 meeting.

Next Meeting:

- Next meeting is scheduled for November 9, 2005 at the Wally’s Restaurant in East Ridge.

Respectfully submitted...

Wayne Stuntz
LEPC Secretary